

ORDINANCE NO. \_\_\_\_\_

**A ZONING ORDINANCE GRANTING A SPECIFIC USE PERMIT FOR THE OPERATION OF A PRIVATE PHILANTHROPIC CLUB ON PROPERTY ZONED SINGLE FAMILY-A DISTRICT, AS AUTHORIZED BY SECTION 3-87(22) OF THE ZONING CODE.**

WHEREAS, Southwest Foundation for Biomedical Research, predecessor to Texas Biomedical Research Institute ("TBRI") was granted a variance and special exception from the Board of Adjustment of the City on July 6, 1955, and

WHEREAS, TBRI renovated the historic mansion built in 1854, that once served as the site for meetings of the City Council and has provided a distinguished venue for philanthropy and community engagement in Alamo Heights, and now exists to provide generous financial backing of TBRI's world-renowned research; and

WHEREAS, TBRI leases the property to The Argyle, a non-profit corporation organized by the State of Texas, whose mission exists to provide financial and other support to TBRI; and

WHEREAS, The Argyle was designated a Recorded Texas Historical Landmark by the Texas Historical Commission in 1972; and

WHEREAS, TBRI has made various renovations to the property over the years; and

WHEREAS, the City has issued all requisite building permits, certificates of occupancy, and other necessary approvals for the prior renovations; and

WHEREAS, TBRI was granted three (3) SUPs from the City in 2008, 2008, and 2021 relating to such renovations; and

WHEREAS, TBRI has requested the City to consolidate all prior City approvals relating to The Argyle into an omnibus SUP in keeping with the current operations of The Argyle; and

WHEREAS, The Argyle has received the unqualified approval of the Texas Historical Commission for all prior renovations as well as the proposed addition to the north side of the existing building ("North Addition"); and

WHEREAS, the SUP application was duly considered by the Planning and Zoning Commission at a public hearing on \_\_\_\_\_, 2022, and after consideration, the Planning and Zoning Commission recommended that the Specific Use Permit requested by TBRI be approved; and

WHEREAS, the City Council considered the recommendation of the Planning and Zoning Commission at a public hearing on \_\_\_\_\_, 2022, and after consideration of the application for the SUP, and after hearing comments from the public concerning the application, finds that approval of the application is in the public interest and is of the opinion that a SUP should be issued to Texas Biomedical Research Institute.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALAMO HEIGHTS, TEXAS that TEXAS BIOMEDICAL RESEARCH INSTITUTE is granted a Specific Use Permit, pursuant to Section 3-87(22) of the Zoning Code, to operate a private philanthropic dinner club and place of entertainment at a location on the following property (the "Property"):

- 934 Patterson (being the property subject to Board of Adjustment Resolution No. 134 dated July 6, 1955);
- 815 Patterson (being the property subject to Ordinance 1756 dated February 25, 2008);
- 820 Patterson (being the property subject to Ordinance 1757 dated February 25, 2008);
- A 2417 square foot tract of land (being the property described in Ordinance 2095 dated December 11, 2017);
- 423 Argyle (being the property subject to Ordinance 2114 dated November 13, 2018);
- The northernmost one hundred fifty feet (150') of 401 Torcido;

all subject to the following conditions:

(A) The Property may be used as private philanthropic club and ancillary uses relating to a private philanthropic club, including, but not limited to, dining for members and guests, catering and hosting of indoor and/or outdoor private functions, and the off-street parking of vehicles associated with such use. No more than five (5) guest units on the third floor may be used for temporary overnight lodging for members and their guest.

(B) The Property may not be used for trade shows, conventions or other functions open to the general public. Functions at the Property are limited to private matters by invitation only, approved by the governing body of The Argyle, and not open to the general public.

(C) Parking facilities shall be adequate for normal operation of the Club and shall include off-street parking for no less than 101 automobiles. The Argyle shall provide complimentary valet parking during all hours it is open. All driveways and entrances should be conveniently laid out so as to prevent congestion. The service entrance and delivery dock shall be located on Argyle Avenue. Adequate and proper receptacles are to be provided for garbage and trash and they are also to be located as far as possible from adjoining property.

(D) For any function having an expected attendance greater than 250 persons, The Argyle shall provide the City Manager at least seven (7) days prior notice, and The Argyle shall comply with all directives of the City's police, fire, and EMS departments. No outside activities may occur after 12:00 midnight, and all food and beverage service must cease before 1:00 a.m.

(E) The North Addition may be constructed in substantial compliance with plans submitted to the City's Architectural Review Board, and is further subject to all applicable building codes and the requirements of this SUP. A rear setback line of ten feet (10') is established on the portion of the Property adjoining Olmos Dam Drive.

(F) This SUP supersedes any conflicting provisions in the following, each of which remain in effect unless superseded herein:

- Ordinance 2114 dated November 13, 2018 granting a Specific Use Permit for 423 Argyle Avenue;
- Ordinance 2095 dated December 11, 2017 abandoning approximately 2417 square feet of the Argyle Avenue

- Ordinance 1756 dated February 25, 2008 granting a Specific Use Permit for 815 Patterson Avenue;
- Ordinance 1757 dated February 25, 2008 granting a Specific Use Permit for 820 Patterson Avenue;
- Board of Adjustment Resolution No. 134 dated July 6, 1955 granting a variance and special exception.

This SUP is issued to Texas Biomedical Research Institute only. This SUP shall automatically expire if the applicant moves from, transfers, sells or otherwise disposes of the Property.

This SUP shall not set a precedent for any other SUP in the future.